

**MINUTES OF THE REGULAR MEETING OF THE COUNCIL
OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA,
HELD TUESDAY, MAY 10, 2005, AT 7:00 P.M.**

The meeting was called to order by Mayor Elaine M. Scruggs, with Vice Mayor Thomas R. Eggleston and the following Councilmembers present: Joyce V. Clark, Steven E. Frate, David M. Goulet, H. Philip Lieberman, and Manuel D. Martinez.

Also present were Ed Beasley, City Manager; Pam Kavanaugh, Assistant City Manager; Craig Tindall, City Attorney; and Pamela Hanna, City Clerk.

The Mayor welcomed Seniors from Cactus High School Government Class. They are Eric Morgayho, Mike Zedepa, Sherrie Linkey, Megan McKinney and Brittany Hagar.

COMPLIANCE WITH ARTICLE VII, SECTION 6(c) OF THE GLENDALE CHARTER

A statement was filed by the City Clerk that the one resolution and five ordinances to be considered at the meeting were available for public examination and the title posted at City Hall more than 72 hours in advance of the meeting.

APPROVAL OF THE MINUTES OF THE APRIL 26, 2005 CITY COUNCIL MEETING

It was moved by Goulet, and seconded by Frate, to dispense with the reading of the minutes of the April 26, 2005 City Council Meeting, as each member of the Council had been provided copies in advance, and approve them as written. The motion carried unanimously.

PROCLAMATIONS AND AWARDS

PROCLAIM MAY 15-21, 2005 NATIONAL PUBLIC WORKS WEEK

This is a request for the City Council to recognize May 15 - 21, 2005 as National Public Works Week.

The week of May 15 to May 21 is being designated as National Public Works Week. The purpose of this designation is to honor the qualified and dedicated personnel of Glendale's Public Works Group, along with the many other municipal, county, state and other public employees who provide needed services every day. Public Works employees manage water, sewer, transportation and solid waste systems, as well as public buildings, parks and recreation facilities. These services are routinely provided with no fanfare or public awareness.

Public Works personnel benefit the community on a routine basis by providing roadways, water, sewer, sanitation and other essential services and facilities, and they are among the first responders during emergencies and disasters. Public Works personnel often work above and beyond the call of duty in order to maintain, or quickly restore, needed public works services, and then they continue to work diligently to complete clean up efforts after the crisis is over, long after other first responders have departed.

The recommendation was to proclaim May 15 – 21 as National Public Works Week and present proclamation to Kenneth Reedy, Deputy City Manager, Public Works.

Deputy City Manager Kenneth Reedy accepted the award along with Mr. Stuart Kent, Field Operations Director; Mr. Roger Bailey, Utilities Director; Mr. Larry Broyles, City Engineer and former member of the Arizona Chapter APWA Board of Directors; Mr. Doug Kukino, Environmental Resources Director; Mr. Glenn Compton, Senior Civil Engineer, Past President and Board member of Arizona Chapter APWA; Ms. Kathie Sholly, Property Manager; Mr. Shaun Martin, Building Maintenance Worker; Mr. Mike Lopez, Custodian; and Mr. Bob Maginell, Management Assistant.

Mr. Reedy presented the Mayor and Council with posters representing the services they perform.

ARIZONA STING WEEK PROCLAMATION

This is a request for the City Council to proclaim May 8-14, 2005, as Arizona Sting Week. As the Western Division Champions of the National Lacrosse League, the Arizona Sting will take on the Eastern Division Champions, Toronto Rock, for the first-ever Champion's Cup Final on May 14, 2005. The City of Glendale recognizes the significant accomplishments achieved by the Arizona Sting and their coaches since their inaugural home game at the Glendale Arena on December 23, 2003. The city thanks them for the pride and recognition they have brought to themselves, the community of Glendale and the state of Arizona.

The recommendation was to proclaim May 8-14, 2005 Arizona Sting Week and present the proclamation to Doug Moss, Governor of the Arizona Sting.

Mr. Doug Moss, Governor of the Arizona Sting accepted the award and was accompanied by Ms. Barb Kozuh, Director of Community Relations; Mr. Jim Van Stone, Vice President of Ticket Sales and Service; and Mr. Joe Leibfried, Vice President/Controller.

Mr. Moss thanked the Mayor and Council and the residents of Glendale for their tremendous support. He invited everyone to watch the Championship game on television and to celebrate with the team when they return victorious.

CONSENT AGENDA

Mr. Ed Beasley, City Manager, read Agenda Item Numbers 1 through 10 and Ms. Pamela Hanna, City Clerk, read Consent Resolution Agenda Item Number 11 by number and title.

Mayor Scruggs requested that item 8 be heard separately.

1. LIQUOR LICENSE NO. 3-987 NYPD PIZZA

This is a request by Scott Ziegler for the City Council to approve a new Series 12 (All liquor, Restaurant) license for NYPD Pizza located at 8280 W. Union Hills Drive, Ste. 100.

The approval of this license will increase the total number of liquor licenses in this area by one.

The establishment is over 300 feet from any school or church. The Planning Department, Police Department, and the Maricopa County Health Department have reviewed the application and have determined that it meets all technical requirements.

No protests were received during the 20-day posting period.

The recommendation was to forward a recommendation for approval to the Arizona Department of Liquor Licenses and Control.

2. LIQUOR LICENSE NO. 3-988 OUTBACK STEAKHOUSE

This is a request by Randy Nations for the City Council to approve a new Series 12 (All Liquor, Restaurant) license for Outback Steakhouse located at 5605 W. Bell Road

The approval of this license will not increase the total number of liquor licenses in this area.

The establishment is over 300 feet from any school or church. The Planning Department, Police Department, and the Maricopa County Health Department have reviewed the application and have determined that it meets all technical requirements.

No protests were received during the 20-day posting period.

The recommendation was to forward a recommendation for approval to the Arizona Department of Liquor Licenses and Control.

3. LIQUOR LICENSE NO. 3-989 ALBERTSON'S NO. 1009

This is a request by Glenn Edmondson for the City Council to approve a person and location transfer Series 9 (Off-sale Retail, All Liquor) license for Albertson's located at 5802 W. Olive Avenue.

The approval of this license will increase the total number of liquor licenses in this area by one. However, while this license will increase the number of licenses in the area, it will not increase the number of active license in the area. This establishment currently holds a Series 9 license. At times, the holder of a Series 9 may close an establishment and/or open a new establishment within the county. In doing so, the applicant may transfer the license to another location that already has a license. This allows the applicant to hold possession of the license during the time period in which they may make decisions regarding the license. In this case, Albertson's is transferring a license from an OSCO Drugs. Once the transfer occurs, the current #9 license will be inactivated. Therefore, while the license will increase the number of license to the area, it will not increase the number of active licenses in the area. Ultimately, the inactive license will be transferred to a different location.

The establishment is over 300 feet from any school or church. The Planning Department, Police Department, and the Maricopa County Health Department have reviewed the application and have determined that it meets all technical requirements.

No protests were received during the 20-day posting period.

The recommendation was to forward a recommendation for approval to the Arizona Department of Liquor Licenses and Control.

4. LIQUOR LICENSE NO. 3-990 CVS PHARMACY NO. 7872

This is a request by Jason Morris for the City Council to approve a new Series 10 (Off-sale Retail, Beer & Wine) license for CVS Pharmacy located at 7499 W. Bethany Home Road.

The approval of this license will increase the total number of liquor licenses in this area by one.

The establishment is over 300 feet from any school or church. The Planning Department, Police Department, and the Maricopa County Health Department have reviewed the application and have determined that it meets all technical requirements.

No protests were received during the 20-day posting period.

The recommendation was to forward a recommendation for approval to the Arizona Department of Liquor Licenses and Control.

5. LIQUOR LICENSE NO. 3-993 HENRY'S FARMERS MARKET

This is a request by Garry Shumann for the City Council to approve a new Series 10 (Off-sale Retail, Beer and Wine) license for Henry's Farmer's Market located at 5350 W. Bell Road.

The approval of this license will increase the total number of liquor licenses in this area by one.

The establishment is over 300 feet from any school or church. The Planning Department, Police Department, and the Maricopa County Health Department have reviewed the application and have determined that it meets all technical requirements.

No protests were received during the 20-day posting period.

The recommendation was to forward a recommendation for approval to the Arizona Department of Liquor Licenses and Control.

6. LIQUOR LICENSE NO. 3-994 FRANCHINO'S PIZZA

This is a request by Barbara Melton for the City Council to approve a new Series 12 (All Liquor, Restaurant) license for Franchino's Pizza located at 6224 N. 43rd Avenue.

The approval of this license will not increase the total number of liquor licenses in this area.

The establishment is over 300 feet from any school or church. The Planning Department, Police Department, and the Maricopa County Health Department have reviewed the application and have determined that it meets all technical requirements.

No protests were received during the 20-day posting period.

The recommendation was to forward a recommendation for approval to the Arizona Department of Liquor Licenses and Control.

7. LIQUOR LICENSE NO. 3-995 NATIONAL PREMIER SALES & DISTRIBUTION

This is a request by Randy Nations for the City Council to approve a new Series 4 (Wholesaler) license for National Premier Sales & Distribution located at 5445 W. Missouri Avenue.

The approval of this license will increase the total number of liquor licenses in this area by one.

The establishment is over 300 feet from any school or church. The Planning Department, Police Department, and the Maricopa County Health Department have reviewed the application and have determined that it meets all technical requirements.

No protests were received during the 20-day posting period.

The recommendation was to forward a recommendation for approval to the Arizona Department of Liquor Licenses and Control.

9. METROPOLITAN MEDICAL RESPONSE SYSTEM GRANT

This is a request for the City Council to approve the submittal and acceptance of a grant in the amount of \$190,000 for the purchase of three Chemical, Biological, Radiological, Nuclear, and Explosive (CBRNE) incident response and logistical support vehicles.

One of Council's highest goals is ensuring public safety and awareness. This grant will assist in achieving that goal should a major incident occur in the city.

The City of Glendale Metropolitan Medical Response System (MMRS) program is funded through the Department of Homeland Security and managed by the Office of Domestic Preparedness. The Glendale MMRS is tasked with providing an emergency response and mitigation plan for protection against a possible weapons of mass destruction CBRNE attack. The grant funds will provide three vehicles specialized to deploy equipment for required emergency response. One of the vehicles will be a refrigerated, rear load, box-style truck. One will be a crew cab, one-ton pickup to assist in the movement of patient management trailers. The final vehicle will be a quad style, all-terrain vehicle (ATV) for the enhancement of decontamination capabilities.

The one-time costs associated with this purchase, estimated to be \$190,000, are contained within the MMRS grant funding. The award of the 2005 grant funding is in progress. Notification of the award will be received by July 2005. The ongoing costs associated with maintenance and fuel for the vehicles will be \$29,632. Funds for this cost will be requested in a FY06-07 budget supplemental.

Grants	Capital Expense	One-Time Cost	Budgeted	Unbudgeted	Total
X		X			\$190,000
<u>Account Name, Fund, Account and Line Item Number:</u> Metropolitan Medical Response System, 2005 Grant Funding. Grant account to be created upon award of funding.					

The recommendation was to approve the submittal and acceptance of a \$190,000 Metropolitan Medical Response System grant for the purchase of incident response and logistical support vehicles.

10. E-GOVERNMENT SERVICES CONTRACT

This is a request for City Council to award a contract to Tele-Works, Inc. for Integrated Voice Response (IGR) / Integrated Web Response (IWR) E-Government services for the city.

The collective capabilities in the proposed technology purchase can substantially address the following strategic priorities:

- Leveraging technology for efficiency and convenience
- Increasing citizen involvement with government
- Coordinating exceptional service delivery
- Enhancing the quality of life for Glendale residents.

Three proposals were received in response to the city's Request For Proposal 04-43 for IVR/IWR E-Services. A multi-departmental team including Information Technology, Finance, Field Operations, and Utilities performed an extensive review and evaluation of vendor products and proposals including several online product demonstrations, and selected Tele-Works as the most qualified vendor to provide the city's E-Government services products and solutions.

The contract shall begin upon approval by the City Council and continue for one year. The proposal specifications contain an option clause that will allow the city, at the discretion of the City Manager, to extend this agreement for four additional years in one-year increments.

On April 26, 2005, Council provided direction to move forward with a FY05-06 budget supplemental for redesigning the city's website and for adding enterprise E-Services to the website and telephone business channels. The E-Services budget request submitted for Council's review came from the Tele-Works offer. In order to meet the Council's fall timetable for completion of this redesign, staff is asking to award the contract now.

Interactive Voice and Web Response Systems: Citizens can access city information more easily and efficiently based on their needs; information will be easier to find and services easier to complete; citizens get 24x7 service in many areas of the city's services; channels of communication (Phone, Web/PC, TDD/TTY - hearing impaired, Fax, Cell Phone, PDA, etc.) with citizens are enhanced.

First Responder Notification System: Allows the city to provide emergency information over telephone lines, plus optional fax, email, TTY/TDD (based on the number of available ports); it provides non-emergency notifications on practically any city topic, and can be based on a subscription basis from citizens/businesses through SelectAlert, including Council/constituent interactions; the city can announce emergencies or routine information easily, notify customers of service interruptions,

conduct automated and interactive broadcasts, and poll the public on issues and tally the results.

Electronic Payments Module: Any city department that collects fees can use this technology to accept credit card, check card, and e-check payments over the phone and/or over the web 24x7; works with the city's financial services providers.

Reporting/Tracking capabilities: Both the phone and web interactive systems create logs and allow reporting of city statistics within the systems.

Automated Citizen Information Services (ACIS): Provides an organized and searchable phone and web-based citywide information system for 24x7 services, contacts, and consistent daily information.

Utility Billing Module: Can accept e-payments over phone, web, and other devices for city water bills and related services and provide basic account status to citizens 24x7.

Business Sales Tax and License module: Can accept e-payments over phone, web, and other devices for city business sales taxes and license fees and provide basic account status to businesses 24x7.

Basic Permits and Inspections Services: Can accept e-payments for basic city permits over phone, web, and other devices and schedule and review inspections, conduct surveys, and other services with the city 24x7.

Parks & Recreation Module: Can register for classes, reserve facilities and equipment, receive confirmations via dynamic fax-back, collect payments, announce events, and conduct surveys over phone, web, and other devices 24x7.

Courts Module: Can integrate with a variety of information and fee collection services from the Courts system, including paying citations over the phone, web, or other devices 24x7.

Public Safety Module: Can schedule inspections, issues permits and licenses, track violations, provide police reports, conduct surveys, etc. and collect fees over the phone, web, and other devices 24x7.

Multilingual Capabilities: Both the phone and web interactive systems can support multiple languages; notably Spanish language-based information and services can be provided; both systems also are fully ADA compliant and support information and services for the hearing-impaired.

Public Input: Requests for online billing and other fee payments have been received from citizens and businesses. Requests for easier access to city information

have also been received from citizens directly and through Mayor's Office and Council Office.

The funding for this contract is available as follows:

50-8050-8320, Utility Billing System Replacement	\$150,000
01-2310-7200, Information Technology	\$ 438,569

The \$438,569 is the one-time component of the FY05-06 supplemental request for the redesign of the city website. Council provided direction to proceed with this supplemental request at the April 26, 2005 budget workshop.

The recommendation was to award the contract for E-Services software modules, IVR software and hardware, and related services to Tele-Works, Inc. in an amount not to exceed \$452,207.

CONSENT RESOLUTION

11. PROPERTY ACQUISITION - SOUTH OF TARO LANE, EAST OF 54TH AVENUE

This is a request for City Council to authorize the acquisition of 2,566 square feet of land on the north side of Skunk Creek, south of Taro Lane, just east of 54th Avenue.

In 1996, the Flood Control District of Maricopa County (FCDMC) channeled Skunk Creek, which bisects the northern region of Glendale. After FCDMC channeled Skunk Creek, it conveyed tracts of land along the banks of Skunk Creek to the city for multi-use recreational trails. This remnant parcel was not included in any conveyance nor was it platted as part of Carmel Cove Unit IV or any other adjacent residential subdivision.

The parcel is owned by Tettenhall, L.L.C. (Marlor Homes). The owner is willing to sign a Warranty Deed conveying the parcel to the city for the Skunk Creek recreational trail if the city would pay the past due property taxes of \$539.83. This remnant parcel has already been incorporated into the Skunk Creek trail system, and Parks and Recreation is willing to pay these taxes.

The previous property tax liabilities are approximately \$539.83 and closing costs are about \$630. Funds are available in Skunk Creek Regional Park, Account No. 35-8523-8100.

Grants	Capital Expense	One-Time Cost	Budgeted	Unbudgeted	Total
		X	X		\$1,169.83

Account Name, Fund, Account and Line Item Number:

Skunk Creek Regional Park, Account No. 35-8523-8100 \$1,169.83

The recommendation was to waive reading beyond the title and adopt a resolution authorizing the City Manager to execute all documents necessary to acquire this parcel.

Resolution No. 3848 New Series was read by number and title only, it being **A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING AND DIRECTING THE CITY MANAGER TO ACQUIRE CERTAIN REAL PROPERTY LOCATED SOUTH OF TARO LANE, EAST OF 54TH AVENUE IN GLENDALE, MARICOPA COUNTY, ARIZONA, TO BE USED FOR THE SKUNK CREEK RECREATIONAL TRAIL; AND DIRECTING THE EXECUTION OF ANY DOCUMENTS NECESSARY TO EFFECTUATE SAID PURCHASE.**

It was moved by Eggleston and seconded by Frate, to approve the recommended actions on Consent Agenda Item Nos. 1 through 7, and 9 through 11, including the approval and adoption of Resolution No. 3849 and to forward Liquor License Applications No. 3-987, NYPD Pizza, No. 3-988 Outback Steakhouse, No. 3-989 Albertson's No. 1009, No. 3-990 CVS Pharmacy No. 7872, No. 3-994 Franchino's Pizza, and No. 3-995 National Premier Sales & Distribution, to the State of Arizona Department of Liquor Licenses and Control, with the recommendation for approval. The motion carried unanimously.

8. LIQUOR LICENSE NO. 3-996 RALPH'S LA HACIENDA

Mr. Michael Bailey, Assistant City Attorney presented this item.

This is a request by Micheline McGee for the City Council to approve a person transfer Series 7 (On- & Off-sale Retail, Beer & Wine) license for Ralph's La Hacienda located at 15236 N. 59th Avenue.

The approval of this license will not increase the total number of liquor licenses in this area.

The establishment is over 300 feet from any school or church. The Planning Department, Police Department, and the Maricopa County Health Department have reviewed the application and have determined that it meets all technical requirements.

No protests were received during the 20-day posting period.

The recommendation was to forward a recommendation for approval to the Arizona Department of Liquor Licenses and Control.

Mayor Scruggs asked Mr. Bailey if he has met with the applicant. Mr. Bailey responded no. Mayor Scruggs noted the applicant's other business is an adult entertainment business featuring exotic dancing and liquor sales in Phoenix. She asked if there are any assurances the applicant will not use the subject establishment in a similar manner. Mr. Bailey said the applicant intends to continue the establishment as a restaurant, explaining the applicant would have to go through another regulatory process with the city if they wanted to turn it into another type of establishment. Mayor Scruggs asked about the regulatory process the applicant would have to go through in order to use the establishment as an adult entertainment business. Mr. Bailey said, first and foremost, they would have to determine if the property's zoning would allow for such use. He said they would also have to pass the regulatory process for being a sexually oriented business, including obtaining licenses for the owner, performers and managers. Mayor Scruggs asked if it would come back to Council for consideration. Mr. Bailey stated it would be an administrative process.

Vice Mayor Eggleston asked if an adult entertainment business requires a Conditional Use Permit. Mr. Bailey said the regulatory process does not require the applicant to appear before the Council. He noted the neighborhoods would be notified if such use were being contemplated.

Councilmember Martinez asked if the school across the street would preclude the applicant from obtaining a license for an adult entertainment business. Mr. Bailey responded yes.

Mayor Scruggs asked if the rule still applies when the school is a graduate school rather than an elementary or high school. Mr. Bailey said the code does not differentiate between the different types of schools. Mayor Scruggs asked if exotic dancing or other adult entertainment type businesses are restricted to areas zoned for industrial uses. Mr. Bailey said, in general terms, yes. He pointed out the fact the establishment has a liquor license would most likely prohibit it from being an adult entertainment establishment. Mayor Scruggs asked if the applicant was present. Mr. Bailey said, while he spoke with the applicant earlier in the day and strongly recommended she attend the meeting, she is not present. Mayor Scruggs stated she is uncomfortable with the application and wants assurances the restaurant will not be turned into a cabaret or other adult entertainment establishment. Mr. Bailey said the property's zoning and the surrounding uses, as well as the establishment having a liquor license, would prevent the establishment from being turned into an adult entertainment use.

Councilmember Clark stated she will not support the application because of the potential for the establishment to turn into something much more unappealing.

It was moved by Eggleston and seconded by Frate, to forward Liquor License Applications No. 3-986, Ralph's La Hacienda, to the State of Arizona Department of Liquor Licenses and Control, with the recommendation for denial.

Mayor Scruggs said she might have felt more comfortable had the applicant been present to explain her intention for the establishment.

Upon a call for the question, the motion carried unanimously.

PUBLIC HEARING – LAND DEVELOPMENT ACTION

12. GENERAL PLAN AMENDMENT (GPA04-03) AND REZONING APPLICATION (ZON04-10): 6740, 6742 AND 6746 NORTH 51ST DRIVE

Mr. Jim May, Acting Planning Director, AICP, presented this item.

This is a request to City Council by Quarles & Brady Streich Lang L.L.P to:

Amend the General Plan designation from GC (General Commercial) to MDR (Medium Density Residential, 3.5-5 dwelling units per acre).

Rezone from C-O (Commercial Office) to R1-6 (Single Residence).

The proposed General Plan designation of Medium Density residential will support expansion of the single-family neighborhood and will allow for more home ownership opportunities in the downtown area. The amendment conforms to the General Plan goal of encouraging infill development and the traffic generated by the proposed land use would be less than that generated by the existing General Plan designations. The proposed land use also is located in the City Center Master Plan (CCMP) and is consistent with the goals of that plan.

The properties are currently vacant. The applicant intends to construct a single-family residence on each property and sell it to a qualified family through the local Habitat for Humanity programs. Three new home ownership opportunities will be created.

Approval of R1-6 zoning will reduce density and facilitate construction of single-family residences on the three vacant properties that are located within an area developed with mix of residential and commercial properties. In addition, according to Section 5.3185 of the Zoning Ordinance, applications for R1-6 zoning cannot be approved unless the request meets one of four required findings. This request meets finding "A", which states that the property be located within a designated redevelopment area and finding "C" which states that the property be located within an infill incentive area as established by the City Council.

On February 17, 2005, the Planning Commission recommended approval of the General Plan Amendment and Rezoning application.

The project promotes the development of vacant infill properties and will provide affordable residential choices for residents of Glendale.

Notification letters were sent to 64 property owners within 300 feet of the site as well as to interested parties on September 28, 2004. No written responses were received from the mailing. There were two telephone calls received by the applicant's representative. One call was a property owner who wanted Habitat for Humanity to build her a home. She was referred to the local Habitat for Humanity office. The second telephone call was from a property owner who opposed the rezoning of the properties as it may affect his ability to expand commercial uses on his property. He was instructed to continue dialogue with the Planning Department and to attend the public hearings to express his concerns. One letter from Mr. Art Spina was received by the Planning Department noting opposition of the request. This letter was given to the Planning Commission at their hearing. No one spoke at the Planning Commission public hearing regarding this application.

The recommendation was to conduct a public hearing and approve General Plan Application GPA04-03 and Rezoning Application ZON04-10 as recommended by the Planning Commission.

Councilmember Clark asked if a portion of the property will remain CO. Mr. May explained that all property under this application will be changed from CO (commercial office) to R1-6 and that the vacant property east of 51st Drive that is not part of this application will remain CO.

Mayor Scruggs opened the public hearing on Agenda Item No. 12. As there were no comments, Mayor Scruggs closed the public hearing.

It was moved by Goulet, and seconded by Clark, to approve General Plan Application GPA04-03 and Rezoning Application ZON04-10 as recommended by the Planning Commission. The motion carried unanimously.

BIDS AND CONTRACTS

13. AWARD OF CONTRACT - DOWNTOWN PLAZA, BEAD MUSEUM & CIVIC CENTER ANNEX RENOVATION

Mr. Larry Broyles, City Engineer, presented this item.

This is a request for City Council approval of a construction contract with Brignall Construction to build additions to, and update the exteriors at, the Bead Museum and Wells Fargo bank building. A pedestrian plaza between the two buildings will also be added to tie the two facilities together and provide for a more esthetic area for visitors.

The Council-adopted City Center Master Plan considers enhancing public facilities to be a priority. The renovations/additions to the former Wells Fargo building will support the services offered by the Glendale Civic Center and will enhance and expand the Bead Museum.

Wells Fargo expressed an interest in the existing bank site located on the southwest corner of 55th and Northern avenues, at the Northern Crossing development. In November 2003, Council approved the exchange of the existing Wells Fargo downtown Glenn drive property, located in front of the Civic Center, for the Northern Crossing site. The purpose for the exchange was to renovate the existing bank building to expand the facilities for the Civic Center and convert the existing parking lot into an open public plaza. It was decided to renovate the Bead Museum to compliment the renovation and expansion of the Wells Fargo building. Space is to be added to the Bead Museum for classes and additional exhibit space and small meeting breakout rooms for the Civic Center.

On April 12, 2005, two bids were received and opened with Brignall Construction, a qualified licensed contractor, submitting the lowest bid. The bid included four add alternates; an entrance wall at the Bead Museum; a trellis at the Bead Museum and Civic Center annex; replacement of the Bead Museum mechanical screen; and masonry veneer seating walls in the plaza area. Staff is recommending award of the base bid and all four alternates for a total of \$2,825,000.

The City Council awarded the design contract to the architectural firm of Michael Baker Jr., Inc. in July 2004.

This project will have a direct impact on the Glendale Civic Center and downtown area. The open space plaza area will create an inviting entrance to the Civic Center. The renovation/additions to the Wells Fargo building will support the services offered by the Glendale Civic Center and will enhance and expand the functionality of the Bead Museum.

Funds in the amount of \$2,375,000 are available in Fiscal Years 2004-06 Capital Improvement Plan, Downtown Campus, Account No. 28-8872-8300; and Bead Museum, Account No. 01-8200-8300, \$450,000.

Grants	Capital Expense	One-Time Cost	Budgeted	Unbudgeted	Total
	X		X		\$2,825,000

Account Name, Fund, Account and Line Item Number:

FY 04-05 Downtown Campus Account No. 28-8872-8300 \$1,736,000
FY 05-06 Downtown Campus, Account No. 28-8872-8300 \$639,000
FY 05-06 Bead Museum, Account No. 01-8200-8300 \$450,000

The recommendation was to award the construction contract to Brignall Construction in the amount of \$2,825,000.

Mr. Broyles confirmed for Councilmember Clark that the city owns the buildings. He also confirmed the Wells Fargo building is currently vacant and the Bead Museum is the tenant of the other building.

It was moved by Eggleston, and seconded by Martinez, to award the construction contract to Brignall Construction in the amount of \$2,825,000. The motion carried unanimously.

ORDINANCES

14. MEET AND CONFER ORDINANCE

Mr. Ed Beasley, City Manager, and Mr. Craig Tindall, City Attorney, presented this item.

This is a request for the City Council to adopt an ordinance establishing a process by which recognized Employee Organizations can meet and confer with the City Manager on behalf of an employee group regarding issues such as wages, hours, non-healthcare related benefits and working conditions. To fully implement the Meet and Confer Ordinance, staff is requesting Council also approve the transfer of \$100,000 in Fiscal Year (FY) 2005-06 General Fund contingency appropriation authority and funds for staff training, legal and consulting services.

The Meet and Confer Ordinance provides a structured mechanism for city employees to have an organized voice in the budgeting process resulting in significant benefits for recruitment, morale and retention of a critical portion of the city's workforce. The city's budget is the guide for addressing and implementing Council goals so the meet and confer process has the potential to link direct service delivery employees with the Council's vision for Glendale. The city's Organizational Cooperative Process (OCP), a precursor to certification of an employee group and the meet and confer process, requires employees to work jointly with management to address and implement Council goals. This joint effort assures the employee group has a strong understanding of overall organizational issues and the interdepartmental synergy that is imperative for the delivery of effective service to the public. The OCP also requires employee organizations to demonstrate a track record of community involvement that helps meet the Council's goal of strengthening community relationships and partnerships.

Over the last two years, representatives from the Fire and Police Departments have been involved in developing a process by which employee groups from these public safety areas could be recognized for the purpose of meeting and conferring with the City Manager regarding such issues as wages, hours, non-healthcare related benefits and working conditions.

The OCP is the basis for the recommended Meet and Confer Ordinance. The OCP enables departmental issues to be addressed in an organized and channeled process that asks employees to be part of the solution while learning about the challenges faced by management. Labor and management have worked together to craft solutions and timeframes that are marketed together as joint proposals related to such issues as training, equipment and service enhancements. The experience that employee representatives have received dealing with management on operational issues through the OCP, has helped give them the skills to responsibly represent their employee groups through a meet and confer process that is fair and open to the conditions and pressures that management faces.

The City Manager worked with the City Attorney and outside counsel with expertise in the area of labor relations to ensure the proposed ordinance would address all pertinent areas related to employee relations and service delivery to the public. The ordinance details how an employee organization can be certified and the time frames and flexibility associated with the meet and confer process. Employee Organization business shall be conducted during non-duty hours and shall not interfere with work. Solicitation of membership and employee organizational activities shall take place in non-working areas.

The proposed Meet and Confer Ordinance was presented at the May 3, 2005 Council workshop and direction was provided to bring the matter forward for formal approval.

Effective and consistent communication between employees and management results in service delivery enhancements, innovations and often times, cost-saving measures to address community needs. The Meet and Confer Ordinance establishes an ongoing and consistent framework for structured communication relative to the budget process, resulting in stability for the organization, elected officials and the community when changes in personnel occur. An example of how the OCP worked effectively to address an important public safety need was involving fire department employees in the restructuring of why, how and when new fire stations should be built and where they should be located to meet benchmarked response times. In July of this year, a new fire station will open on Bell Road and plans are proceeding to relocate one of Glendale's oldest stations in the downtown area to property where engine companies can be deployed more effectively to meet community needs. With the relocation plans, the Fire Department was able to consolidate two stations into one, resulting in cost-savings to the public.

In coordination with adoption of the Meet and Confer Ordinance, staff is requesting Council approve the transfer of \$100,000 in General Fund contingency appropriation authority and funds for FY05-06 from General Fund Contingency, Account No. 01-2450-7000, to the Human Resources Department's Employee Relations division, Account No. 01-1920-7330.

The recommendation was to waive reading beyond the title and adopt an ordinance establishing a meet and confer process and approve the transfer of \$100,000 in FY05-06 General Fund contingency appropriation authority and funds for staff training, legal and consulting services.

Mr. Brad Harkleroad, representing the Police Officers, voiced their support of the ordinance. He said Police and Fire employees have had the privilege to work with their departments' command staff and city leaders to provide the best possible customer service for citizens and other employees. He stated passing the ordinance will allow them to formalize the process. He said it has always been a policy of city leaders to involve and include those who can bring the city forward in a positive manner and the goal of the ordinance is to formalize an organizational cooperative process. He asked the Council to approve the ordinance. He thanked Fire Department representatives and the City Manager for the work they have done over the past 18 months.

Mr. Tom Cole, Fire Captain and Trustee with United Phoenix Firefighters Local 493 Glendale Chapter, offered the department's condolences to the Uribe family, the Phoenix Police Department and the Glendale Police Department for their loss. He said he is proud to represent the department at this important moment in their history. He stated the Glendale Fire Department has established a reputation for excellence in both customer service and professionalism and its members appreciate the fact that city leaders have provided them with the means to maintain the highest level of emergency service to citizens of Glendale. He said they have established themselves as community partners in a host of efforts to help protect and provide for the most vulnerable of Glendale citizens. He stated their membership provides an example of how an employee group can give back to the community. He explained line level participation at the most critical levels of the department are an important component of their system, noting they have saved tax payer dollars by recommending a more efficient plan for fire station placement, assisted with the fire accreditation process, and volunteered hundreds of hours in committee to help Fire Administration staff better see the perspective of the rank and file as they make the difficult decisions often required of their office. He stated the city's firefighters have established positive working relationships with a wide gambit of community and government entities for the betterment of the department and the city as a whole. He said the proposed ordinance will be another tool the Fire Department will use to become more efficient in their daily operations and will provide stability for firefighters and predictability for the City Manager. He thanked Mr. Beasley for his open-minded approach to employee relations, Chief Burdick and Fire Administration staff for having the trust and confidence necessary to include firefighters in department decision-making, and President Billy Shields and the Executive Board of Local 493 for their assistance and support. He also expressed his appreciation to the Mayor and Council.

Ordinance No. 2433 New Series was read by number and title it being **AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AMENDING GLENDALE CITY CODE, CHAPTER 2, ARTICLE III BY CREATING A NEW DIVISION 3 RELATING TO A MEET AND CONFER PROCESS FOR CERTAIN CITY EMPLOYEES.**

It was moved by Goulet, and seconded by Frate, to approve Ordinance No. 2433 New Series.

Councilmember Frate thanked the Fire and Police Departments for all they have done and will continue to do in the community.

Councilmember Goulet said the past few months have proven the Glendale Fire Department and Police Department can work cooperatively with city management and the City Council is grateful for that relationship.

Mayor Scruggs thanked Mr. Beasley for having the strength and courage to do his job the right way. She said police and fire officers are not told often enough how much they are valued and appreciated. She also recognized Captain John Holland, stating the ordinance would not have happened without his assistance.

Upon a call for the question, the motion carried on a roll call vote, with the following Councilmembers voting “aye”: Clark, Goulet, Lieberman, Eggleston, Martinez, Frate, and Scruggs. Members voting “nay”: none.

15. ABANDONMENT OF PUBLIC UTILITY AND ACCESS EASEMENT: NORTH SIDE OF UNION HILLS DRIVE, WEST OF LOOP 101

Ms. Kathie Sholly, Property Manager, presented this item.

This is a request for the City Council to authorize the abandonment of a public utility and access easement at the Union Hills Crossing development, along the north side of Union Hills drive, west of Loop 101.

This 0.7236-acre public utility and access easement was originally granted in January 1999 to the city of Glendale, to serve the Arrowhead Ranch Water Reclamation Facility (ARWRF). Current developers at Union Hills Crossing have requested the abandonment of this existing easement in favor of new public utility and access easements. The new easements have been recorded and the relocated utilities are functioning. The city has no further need for the old easement area.

The recommendation was to waive reading beyond the title and adopt an ordinance abandoning the public utility and access easement along the north side of Union Hills drive, west of Loop 101.

Ordinance No. 2434, New Series was read by number and title only, it being **AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING THE ABANDONMENT OF A PUBLIC UTILITY AND ACCESS EASEMENT ALONG THE NORTH SIDE OF UNION HILLS DRIVE, WEST OF LOOP 101 TO THE OWNERS OF RECORD OF THE ABUTTING PROPERTY; AND DIRECTING THE CITY CLERK TO RECORD A CERTIFIED COPY OF THIS ORDINANCE.**

It was moved by Clark and seconded by Frate, to approve Ordinance No. 2434 New Series. Motion carried on a roll call vote, with the following Councilmembers voting “aye”: Clark, Goulet, Lieberman, Eggleston, Martinez, Frate, and Scruggs. Members voting “nay”: none.

16. DEDICATION OF ADDITIONAL RIGHT-OF-WAY FOR MCLELLAN ROAD, 59TH DRIVE TO 59TH AVENUE

Ms. Kathie Sholly, Property Manager, presented this item.

This is a request for the City Council to dedicate city-owned property for additional right-of-way for McLellan Road, from 59th Drive to 59th Avenue.

The city has constructed McLellan Road from 59th Avenue to 59th Drive. This parcel of land is owned by the city, but has never been dedicated as public right-of-way.

The recommendation was to waive reading beyond the title and adopt an ordinance authorizing the City Manager to sign all documents necessary for the dedication of real property as roadway right-of-way.

Ordinance No. 2435, New Series was read by number and title only, it being **AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING THE CITY MANAGER TO EXECUTE A DEDICATION OF ADDITIONAL RIGHT-OF-WAY FOR MCLELLAN ROAD, 59TH DRIVE TO 59TH AVENUE IN THE CITY OF GLENDALE; AND ORDERING THAT A CERTIFIED COPY OF THIS ORDINANCE BE RECORDED.**

It was moved by Goulet, and seconded by Clark, to approve Ordinance No. 2435 New Series. Motion carried on a roll call vote, with the following Councilmembers voting “aye”: Clark, Goulet, Lieberman, Eggleston, Martinez, Frate, and Scruggs. Members voting “nay”: none.

17. SOUTHWEST GAS CORPORATION EASEMENT: NORTHWEST CORNER OF 55TH AVENUE AND UNION HILLS DRIVE

Ms. Kathie Sholly, Property Manager, presented this item.

This is a request for the City Council to grant an easement in favor of Southwest Gas Corporation (SGC) for service to the city's proposed Foothills Recreation and Aquatic Center at the northwest corner of 55th Avenue and Union Hills Drive.

To accommodate the development of the Aquatic Center, the city has requested SGC relocate its regulator station and gas piping facilities. SGC needs an easement to protect its relocated facilities.

The recommendation was to waive reading beyond the title and adopt an ordinance authorizing the City Manager to execute an easement in favor of Southwest Gas Corporation.

Ordinance No. 2436 was read by number and title only, it being **AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING THE CITY MANAGER TO EXECUTE A UTILITY EASEMENT IN FAVOR OF SOUTHWEST GAS CORPORATION AT THE NORTHWEST CORNER OF 55TH AVENUE AND UNION HILLS DRIVE; AND ORDERING THAT A CERTIFIED COPY OF THIS ORDINANCE BE RECORDED.**

It was moved by Martinez, and seconded by Frate, to approve Ordinance No. 2436 New Series. Motion carried on a roll call vote, with the following Councilmembers voting "aye": Clark, Goulet, Lieberman, Eggleston, Martinez, Frate, and Scruggs. Members voting "nay": none.

18. DEEDS AND EASEMENTS ORDINANCE

Mr. Craig Tindall, City Attorney, presented this item.

This is a request for the City Council to accept deeds and easements for property conveyed to the City of Glendale.

The Deeds and Easements Ordinance is compiled of real property interests that have been recently conveyed to the City of Glendale from various parties. State law requires that municipalities accept these conveyances by ordinance.

The recommendation was to waive reading beyond the title and adopt an ordinance accepting deeds and easements for property conveyed to the City of Glendale.

Ordinance No. 2437, New Series was read by number and title only, it being **AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, ACCEPTING DEEDS AND EASEMENTS FOR PROPERTY CONVEYED TO THE CITY OF GLENDALE.**

It was moved by Frate, and seconded by Lieberman, to approve Ordinance No. 2437 New Series. Motion carried on a roll call vote, with the following Councilmembers voting “aye”: Clark, Goulet, Lieberman, Eggleston, Martinez, Frate, and Scruggs. Members voting “nay”: none.

REQUEST FOR FUTURE WORKSHOP AND EXECUTIVE SESSION

It was moved by Eggleston, and seconded by Martinez, to hold a City Council Workshop at 1:30 p.m. in Room B-3 of the City Council Chambers on Tuesday, May 17, 2005, to be followed by an Executive Session pursuant to A.R.S. 38-431.03. The motion carried unanimously.

CITIZEN COMMENTS

Ms. Joanne Moore, a resident of the City of Phoenix Cactus District, noted her cousin serves on the City of Glendale Fire Department. She said, while she believes Glendale’s Police Department is one of the best, she does not believe there are enough officers. She stated her tenants in West Plaza One, Maryland Manor, West Plaza Two and Wood Glen Village have all said at one time or another that their calls to the Police Department have gone unanswered. She read a poem she wrote in honor of the Police Department and thanked the officers for all they do.

Dr. James Sanders, a resident of the City of Glendale Cactus District, said he sent a letter concerning boom boxes in his neighborhood to the city a couple years ago and Councilmember Frate was the first to respond. He said he appreciated meeting with city officials and the Council’s ultimate passing of an ordinance against boom boxes. He said, unfortunately, the boom box problem has become worse and is at the point of being unbearable. He stated he has spoken to several police and city groups and it appears there are too few officers to address all of the complaints.

Mr. C. Roberts Hewlett, a resident of the City of Glendale, stated he has had six thefts at his premises and it appears the police are unable to do anything. He asked that the city remove an existing light pole, stating doing so would allow him to lay cement and construct a fence to secure his property. He said he intends to install a security camera and lighting under the eaves of his house. He noted he is on the verge of losing his insurance because of the thefts.

Mayor Scruggs directed the City Manager to have someone contact Mr. Hewlett.

COUNCIL COMMENTS AND SUGGESTIONS

Councilmember Clark noted she is the mother of a police officer and firefighter. She said, sadly, seven fallen officers were recognized at last week’s State FOP recognition ceremony. She said Officer Don Shultz died on May 12, 2004 on a training exercise and Commander Joseph Goldsmith died on May 20, 2004. She said officers Eric White and Jason Wolf died August 28, 2004 when they were shot while attempting

to enter the home of a suspect. She stated Officer Daryl Yost died on December 22, 2004 when hit by a drunk driver. She said Agent George DeBates with the U.S. Border Patrol died September 19, 2004 and Agent Shawn Magesman died on March 28, 2005. She said they lost Dave Uribe today, noting he served in the Phoenix Police Department for 22 years. She stated Officer Uribe's wife is a dispatcher with the Glendale Police Department and one of his sons also serves as an officer in the Phoenix Police Department. She questioned how many people would continue to serve in their current positions if they knew they could be killed in at any given moment, stating police officers and fire fighters make that kind of commitment every day. She noted May 15 to May 21 is National Police Week, suggesting the City of Glendale offer a proclamation next year in honor of National Police Week. She cautioned when parents let their children disrespect them, they teach their children to disrespect everyone who represents authority.

Councilmember Goulet commented on the significance of the ordinance they approved, suggesting students in the audience encourage discussion in their classrooms about its impact. He said Council approved three other ordinances that will also be significant to redevelopment of the downtown area. He stated the rezoning for three additional Habitat for Humanity Homes will allow three families to move into Glendale, noting the city will dedicate their 21st Habitat home on Saturday.

Councilmember Lieberman thanked second grade students at Carol G. Beck school for allowing him to spend time with them, stating he looks forward to doing it again in the future.

Vice Mayor Eggleston said he too was shocked at the ambushing of Officer Uribe. He invited the public to attend a memorial tomorrow for fallen Glendale Officers. He said an informational annexation open house will be held March 11 at Luke School.

Councilmember Frate welcomed students from Cactus High School. With regard to the Public Works proclamation, he noted more than 58,850 water meters are read each month and Glendale's water system laid end to end would stretch 750 miles. He said Glendale also provides 1,000 gallons of quality drinking water for less than the cost of one gallon of milk and produces an average of 45 million gallons of clean water each day. He thanked everyone involved in Public Works. He urged everyone to watch children around water, noting the Fire Department will hold its first Water Safety Walk of the year this month.

Mayor Scruggs said they are all anxiously awaiting word on what bases are being recommended for closure; although they are cautiously optimistic that Luke Air Force Base will not be on the list. She noted the Sanderson and Kimerly families will celebrate the 50th anniversary of Sanderson Ford later this week. She encouraged everyone to watch the Championship Lacrosse game on Saturday.

ADJOURNMENT

There being no further business, the meeting was adjourned at 8:25 p.m.

Pamela Hanna - City Clerk